

Attachment 4

Court of Appeal, Second Appellate District, Div. 4 - No. B196761
S155588

IN THE SUPREME COURT OF CALIFORNIA

En Banc

In re MARCO MARROQUIN on Habeas Corpus

The petition for review is denied.

**SUPREME COURT
FILED**

OCT 31 2007

Frederick K. Ohlrich Clerk

Deputy

GEORGE

Chief Justice

Court of Appeal, Second Appellate District, Div. 4 - No. B196761
S155588

SUPREME COURT
FILED

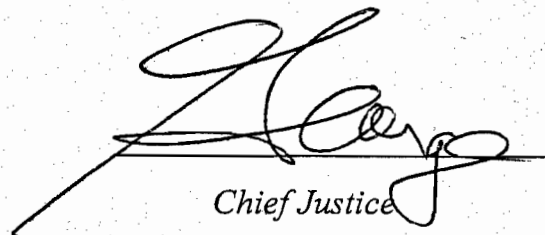
OCT 15 2007

Frederick A. Ulrich Clerk

IN THE SUPREME COURT OF CALIFORNIA DEPUTY

In re MARCO MARROQUIN on Habeas Corpus

The time for granting or denying review in the above-entitled matter is hereby extended to and including November 21, 2007, or the date upon which review is either granted or denied.


Chief Justice

MARY JAMESON
AUTOMATIC APPEALS SUPERVISOR

JORGE NAVARRETE
SUPERVISING DEPUTY CLERK

SAN FRANCISCO

NATALIE ROBINSON
SUPERVISING DEPUTY CLERK

LOS ANGELES



Supreme Court of California

FREDERICK K. OHLRICH
COURT ADMINISTRATOR AND
CLERK OF THE SUPREME COURT

August 30, 2007

Office of the Attorney General
300 South Spring Street
Los Angeles, CA 90013

Re: S155588 – In re Marco Marroquin on Habeas Corpus

Dear Counsel:

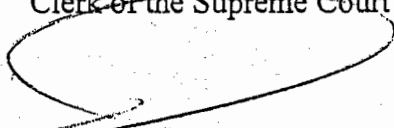
The court has directed that I request an answer to the above referenced matter, petition served on your office August 20, 2007. The answer is to be served upon petitioner and filed in this court on or before September 18, 2007. Petitioner will then have ten (10) days in which to serve and file a reply to the answer.

Your answer should be addressed to the following: "Whether as to the claims regarding the denial of a parole date by the Board of Parole Hearings, petitioner has established a prima facie case for relief, such that this court should grant the petition for review, and transfer the matter to the Court of Appeal with instructions to issue an order to show cause. (Cal. Rules of Court, rules 8.500(b)(4), 8.528(d).)

Please be advised that the instant petition is a petition for review, and a ruling by the court is due on or before October 22, 2007. This request for an answer should be expedited by your office, and no requests for extension of time are contemplated.

Very truly yours,

FREDERICK K. OHLRICH
Court Administrator and
Clerk of the Supreme Court

By:  Jorge E. Navarrete, Supervising Deputy Clerk

Enclosures

cc: Marco Marroquin, Petitioner
Rec.

☐ SAN FRANCISCO 94102
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(415) 863-7000

☐ LOS ANGELES 90013
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300 SOUTH SPRING STREET
(213) 830-7570

MARY JAMESON
AUTOMATIC APPEALS SUPERVISOR

JORGE NAVARRETE
SUPERVISING DEPUTY CLERK

SAN FRANCISCO

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Supreme Court of California

FREDERICK K. OHLRICH
COURT ADMINISTRATOR AND
CLERK OF THE SUPREME COURT

8-24-2007

Marco Marroquin, H-62380
P. O. Box 689
Correctional Training Facility
Soledad, CA 93960-0689

Re: S155588 – In re Marco Marroquin on Habeas Corpus

Dear Counsel:

The court has granted permission to file the untimely petition for review and the petition was filed on 8-23-2007

An answer to the petition may be served and filed on or before, 20 days after the petition is filed. The answer may present additional issues desired for review if the petition for review is granted.

A reply to the answer may be filed within 10 days after filing of the answer, limited to the additional issues presented in the answer, if any.

Very truly yours,

FREDERICK K. OHLRICH
Court Administrator and
Clerk of the Supreme Court

A handwritten signature in black ink, appearing to be "A. Allen".
By: A. Allen, Deputy Clerk

aa/
rec.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FOUR

COURT OF APPEAL - SECOND DIST.

FILED

AUG 8 2007

JOSEPH A. LANE

Clerk

Deputy Clerk

In re

MARCO MARROQUIN,

on Habeas Corpus.

) B196761

) (Super.Ct.No. TA016787)

) (Gary E. Daigh, Judge)

) ORDER

THE COURT:*

The petition for writ of habeas corpus has been read and considered.

The petition is denied. Denial of parole may be based solely upon the particular circumstances of the inmate's commitment offense. The record shows that the circumstances of petitioner's second-degree murder offense "exceed the minimum elements necessary to sustain a conviction" of second-degree murder. (*In re Dannenberg* (2005) 34 Cal.4th 1061, 1070-1071, 1094 - 1095.) The motive for the offense was very trivial, and petitioner deliberately returned to the bar with a loaded gun and callously shot the un-armed victim.

* WILLHITE, Acting P. J.,

MANELLA, J.,

SUZUKAWA, J.

MINUTE ORDER
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE PRINTED: 01/12/07

CASE NO. TA016787

THE PEOPLE OF THE STATE OF CALIFORNIA
VS.
DEFENDANT 01: MARCO MARROQUIN

COUNT 01: 187(A) PC FEL-- MURDER.

ON 12/22/06 AT 830 AM IN SOUTH CENTRAL DISTRICT DEPT SCO

CASE CALLED FOR HABEAS CORPUS PETITION

PARTIES: GARY E DAIGH (JUDGE) JAIME CORONA (CLERK)
NONE (REP) DALE A DAVIDSON (DDA)

DEFENDANT IS NOT PRESENT IN COURT, AND NOT REPRESENTED BY COUNSEL

THE COURT HAS READ AND CONSIDERED DEFENDANTS PETITION FOR WRIT OF HABEAS CORPUS FILE STAMPED ON 10/24/06, BUT NOT RECEIVED BY THIS COURT UNTIL WEEKS THEREAFTER. IN IT THE DEFENDANT ALLEGES HE WAS IMPROPERLY DENIED PAROLE AT HIS 6/6/06 PAROLE BOARD HEARING. ATTACHED TO DEFENDANTS PETITION IS THE TRANSCRIPT OF THE PAROLE HEARING. IN IT THE BOARD FULLY CONSIDERED DEFENDANTS LACK OF RECORD, GRAVITY OF THE MURDER DEFENDANT COMMITTED, HIS FAMILY HISTORY AND POST-PAROLE PLANS. THE PAROLE BOARD CONCLUDED THAT DEFENDANTS RELEASE AT THIS TIME

WOULD POSE AN UNREASONABLE RISK OF DANGER TO SOCIETY. THIS DECISION IS SUPPORTED BY THE CIRCUMSTANCES OF THE CRIME ITSELF AND THE REFUSAL BY THE DEFENDANT TO TAKE FULL RESPONSIBILITIES FOR HIS ACTIONS.

THE DEFENDANTS PAROLE BOARD TESTIMONY MAKES CLEAR THAT HE BLAMES OTHER PERSONS WHO "KIDNAPPED AND ROBBED" HIM THAT NIGHT AND THE VICTIMS ACTIONS FOR HIS CONVICTION. THE CONTINUED SELF DEFENSE EXPLANATION FOR DEFENDANTS ACTIONS ON THE NIGHT OF THE MURDER DID NOT IMPRESS THE PAROLE BOARD OR THIS COURT. IT CONCLUDES THAT THE DEFENDANT IS A DANGER TO THE COMMUNITY, IF RELEASED, IS AMPLY SUPPORTED BY THE EVIDENCE. PETITION DENIED.

A COPY OF THIS MINUTE ORDER IS MAILED VIA U.S MAIL TO THE

CASE NO. TA016787
DEF NO. 01

DATE PRINTED 01/12/07

FOLLOWING-

MR. MARCO MARROQUIN CDC#H-62380
BOX 689 G-144U
CALIFORNIA STATE PRISON
SOLEDAD, CA. 93960

CC;
DA
PD
FILE

NEXT SCHEDULED EVENT:

PROCEEDINGS TERMINATED

Attachment 5

6/6

PSYCHOLOGICAL EVALUATION FOR THE BOARD OF PAROLE HEARINGS
REVISED SEPTEMBER 1998
PAROLE CONSIDERATION HEARING
JANUARY 2006 LIFE-TERM INMATE CALENDAR
CORRECTIONAL TRAINING FACILITY, SOLEDAD
MAY 11, 2006

NAME: MARROQUIN, MARCO
CDC #: H-62380
DOB: 07/30/56
OFFENSE: Penal Code 187, Murder, Second Degree
SENTENCE: 18 years to Life
DATE OF OFFENSE: 01/14/92
MEPD: 12/24/03
EVALUATION DATE: 05/11/06

I. IDENTIFYING INFORMATION:

Inmate Marroquin is a 50-year-old, first-term, married, Hispanic male who was born and raised in Guatemala. He was sentenced by Los Angeles County. He is a Christian. He has 13 years of his sentence. He has a USINS hold and plans to return to Guatemala when he is released.

SOURCES OF INFORMATION:

This evaluation is based upon a single, one-hour interview, plus review of the Central file and medical file.

Since he is a primarily Spanish-speaking inmate, a certified translator was used during this interview.

The prior psychological evaluation, dated 08/05/02, completed at CTF by Dr. Howlin for the Board of Prison Terms, is still current and valid. The psychosocial assessment completed at that time was reviewed with the inmate, and it is still current and valid. As a result, it will not be repeated at this time.

CLINICAL ASSESSMENT

XII. CURRENT MENTAL STATUS/TREATMENT NEEDS:

Inmate Marroquin related in a serious, sober, business-like, cooperative manner. The mental status is within normal limits. He is alert and well oriented. His

MARROQUIN, MARCO
CDC NUMBER: H-62380
BPT PSYCHOLOGICAL EVALUATION
PAGE TWO

thinking was rational, logical, and coherent. His speech was normal, fluent, and goal-oriented. His affect was appropriate. There was no evidence of anxiety or depression. His eye contact was good. Intellectually, his functioning was in the average ranges. His memory was intact. His judgment was intact. His insight and self-awareness were good.

Inmate Marroquin has sought out and obtained individual counseling with Dr. Reed at CTF. He has received several hours of individual counseling, dealing with the commitment offense and other related issues. Dr. Reed indicated that there were no mental or emotional problems evident in this case.

Inmate Marroquin was under the influence of alcohol at the time of the commitment offense. He has continued to attend Alcoholics Anonymous over the years. Although alcohol is readily available to inmates in the prison setting, he has shown self-control, maturity, and responsibility by totally abstaining from any use of alcohol during his 13 years of incarceration. Therefore, this is certainly not a current problem in his life.

According to his file, he has obtained certification as a diesel mechanic. He plans to return to Guatemala and work as a truck driver. He plans on repairing his own diesel trucks. His release program, living with family members in Guatemala and working as a truck driver, appears to be realistic and viable.

CURRENT DIAGNOSTIC IMPRESSIONS (DSM-IV):

AXIS I: No contributory clinical disorder.
AXIS II: No contributory personality disorder.
AXIS III: No contributory physical disorder.
AXIS IV: Life-term incarceration.
AXIS V: Current GAF = 85.

XIII. REVIEW OF LIFE CRIME:

Inmate Marroquin accepts full responsibility for the commitment offense. He accepts the description of the offense contained in the Central file. He was intoxicated on alcohol at the time of the commitment offense. He admitted that he shot the victim during an altercation. He felt that his life was in danger, so he responded by shooting the victim. He stated that the victim was attacking him at

MARROQUIN, MARCO
CDC NUMBER: H-62380
BPT PSYCHOLOGICAL EVALUATION
PAGE THREE

the time. He is very sorry that this happened. He stated that he did not intend to kill the victim. His feelings of sorrow and remorse appear to be genuine.

This offense appears to be quite situational. It also is related to the fact that he had been drinking alcohol, resulting in the use of poor judgment and release of inhibitions.

XIV. ASSESSMENT OF DANGEROUSNESS:

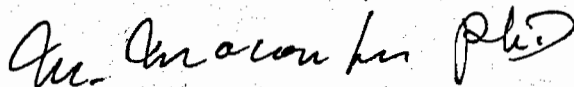
- A.* In considering his potential for dangerous behavior in the institution, inmate Marroquin has never received any serious disciplinaries. He has never been involved in riots, possession of weapons, threats to others, or any other dangerous behavior. Since we have frequent racial disturbances at this prison, the fact that he is not involved in commendable. In comparison to other inmates, his potential for dangerous behavior is below average.
- B.* In considering his potential for dangerous behavior if released to the community, the Level of Service Inventory-Revised, was administered. This is an actuarial measure that assesses criminal background, substance abuse history, social relationships, academic and vocational achievement, family relationships and other factors to determine current risk level on parole. He does not have a history of prior arrests. His score places him at the 1.8 cumulative frequency for prison inmates. This means that if 100 men were released on parole, he would do better on parole than 98 of them. This is a very low risk level. As a result, he poses no more risk to society than the average citizen in the community.
- C.* At this point in his life, there are no significant risk factors in this case.

XV. CLINICIAN OBSERVATIONS/COMMENTS/RECOMMENDATIONS:

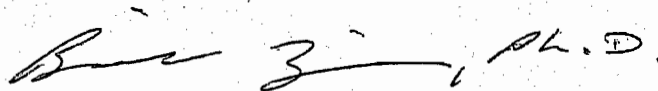
There are no mental or emotional problems in this case that would interfere with routine release planning. Inmate Marroquin is primarily Spanish-speaking, and he will need the assistance of an interpreter at his BPH hearing. He plans on returning to Guatemala as soon as he is released from prison. He has family

MARROQUIN, MARCO
CDC NUMBER: H-62380
BPT PSYCHOLOGICAL EVALUATION
PAGE FOUR

support in Guatemala. He has the family home available to him, as well as assistance from family members to help him get established. He plans on buying a truck and maintaining it himself. He will be assisted in this project by his family. He is married, and his wife plans on returning to Guatemala with him. The prognosis for successful adjustment in the community is very good.



M. Macomber, Ph.D.
Staff Psychologist
Correctional Training Facility, Soledad



B. Zika, Ph.D.
Senior Supervising Psychologist
Correctional Training Facility, Soledad

MM/gmj

D: 05/11/06

T: 05/12/06

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MACOMBER.doc

Attachment 6

1 CALIFORNIA BOARD OF PAROLE HEARINGS

2 D E C I S I O N

3 DEPUTY COMMISSIONER KEENAN: Back on
4 record.

5 PRESIDING COMMISSIONER SHELTON: All
6 right. For the record, it is 2:25. We are here
7 in the matter of Marco Marroquin, CDC number
8 H-62380. Everyone has returned to the hearing
9 room that was here during the hearing. The
10 panel has received and reviewed all the
11 information and relied on the following
12 circumstances in concluding that Mr. Marroquin
13 is not yet suitable for parole and would pose an
14 unreasonable risk of danger to society or a
15 threat to public safety if released from prison.
16 I'm going to take things a little out of order
17 here, sir. We're giving you one year. The last
18 hearing you had three years. You have done an
19 extraordinarily wonderful job. There's a few
20 more things we think you need to do to assure
21 that you can get through this parole process,
22 and the reason I say that is this. We're not
23 the only ones you have to impress. There's
24 another Board hearing, or a panel that does a
25 review, and then it goes to the Governor. They
26 don't get to see you. We get to see you. We're
27 M. MARROQUIN H-62380 DECISION PAGE 1 6/6/06

1 impressed by your presentation, we're impressed
2 by what you've done, and I'm going to go through
3 this stuff, but we know that there's other
4 things that people are going to ask that we want
5 you to get done ahead of time. Does - do you
6 understand what I'm saying to you?

7 **INMATE MARROQUIN THROUGH THE INTERPRETER:**

8 Correct.

9 **PRESIDING COMMISSIONER SHELTON:** All
10 right. I'm going to go through this and I'm -
11 we have a couple of things that we are going to
12 need you to do this next year. Again, we are
13 totally impressed by your presentation today, we
14 believe you to be telling us the truth, and we
15 have a couple of things that we need you to do
16 to assure that you're a - you're a step closer,
17 okay? First of all, we know that this was -
18 this commitment offense was a - a terrible
19 offense. You know, you had an opportunity to
20 walk away. You didn't. I know you mentioned
21 you felt your life was being threatened, but I
22 think there was a time where you could've walked
23 away. You said you sat in your car for a little
24 bit. The motive for this crime was very trivial
25 in relation to the offense. These statements
26 were drawn from the summary of the crime that
27 **M. MARROQUIN H-62380 DECISION PAGE 2 6/6/06**

1 was noted in the November 2002 Board Report and
2 carried on to the - let me get the month right
3 here - November 2005 Board Report. You have no
4 previous record whatsoever. That be on the
5 record. It appears that your social history was
6 not unstable, and again, you had no prior
7 criminality. I want to talk about your
8 institutional behavior. You have received -
9 absolutely zero 115s. That is extraordinarily
10 rare, Mr. Marroquin. That shows exemplary
11 behavior. You received two 128a's, the last one
12 being in June of '93. Again, exemplary
13 behavior. You've been participating in AA and
14 NA since '95. And I'm going to mix some of
15 these things, because we talk about
16 institutional behavior both positively and
17 negatively, but one of the things that we would
18 ask you to do is to try to participate in
19 another self-help program or two. You've done -
20 what you've participated in is excellent, but we
21 think other people may review your file without
22 you sitting in front of them and say, "You
23 should've done, could've done more self-help
24 programs." So do what you can to get into
25 anything you can this next year.

1 Correct.

2 PRESIDING COMMISSIONER SHELTON: You
3 understand, sir? All right. Your
4 psychiatrist's report was favorable. Dr.
5 Macomber indicated that you had a GAF rating of
6 85. The report was positive. He indicated you
7 showed genuine remorse, and he felt that if
8 paroled, you would be better on parole - you
9 would be in the top 2 percent for success. He
10 says that there are no risk factors, and the
11 prognosis for your success is good. Your parole
12 plans are good. This is one other area that we
13 need you to something for yourself. You have
14 excellent parole plans for Guatemala. There is
15 a very slim chance that you could possibly be
16 paroled here. You have a home here and your
17 family here, so that side's okay. What you need
18 to do is to see if you can get any kind of
19 support letter showing that you could
20 potentially get a job in Los Angeles if you
21 needed to. Comprendes?

22 INMATE MARROQUIN THROUGH THE INTERPRETER:

23 Yes. But?

24 PRESIDING COMMISSIONER SHELTON: No, no
25 buts. No buts. You need to find - you need to
26 at least - you have two skills that I'm aware
27 M. MARROQUIN H-62380 DECISION PAGE 4 6/6/06

1 of, sir. You've got your diesel mechanic skill,
2 and by your own words you indicated that you had
3 worked in marble and you had started your own
4 business. We know that you have the ability to
5 provide for yourself. Commissioner Keenan and I
6 believe that you can take care of yourself and
7 your family no problem, but you've got to
8 convince other people of that too, so get
9 something that says that you can have - or you
10 can find work, you have the abilities to find
11 work. I mean, Commissioner Keenan called you an
12 entrepreneur. That means you can survive on
13 your own with your skills and your intellect,
14 but you need to show that that can happen here,
15 just on that off chance that you don't go to
16 Guatemala right out the door. Now that doesn't
17 mean that if you do - if you do get paroled here
18 someday, you do well on parole here, then
19 eventually you can go to Guatemala.

20 **INMATE MARROQUIN THROUGH THE INTERPRETER:**

21 Can I answer to that?

22 **PRESIDING COMMISSIONER SHELTON:**

23 Certainly.

24 **INMATE MARROQUIN THROUGH THE INTERPRETER:**

25 I have an INS hold, so I can consider that that
26 - there's nobody, nor an attorney, or even a

1 judge, over the control that INS has, because I
2 will be deported. It's very difficult for me to
3 think that I (indiscernible) work, function, but
4 to work or function in my mind are making
5 illusions that I'm going to stay here.

6 PRESIDING COMMISSIONER SHELTON: Okay.

7 INMATE MARROQUIN THROUGH THE INTERPRETER:

8 For me, that's something impossible.

9 PRESIDING COMMISSIONER SHELTON: I
10 understand.

11 INMATE MARROQUIN THROUGH THE INTERPRETER:

12 Deporting (indiscernible).

13 PRESIDING COMMISSIONER SHELTON: Mr.

14 Marroquin, I understand, but the world is full
15 of strange happenings and decisions and
16 nothing's for sure until it happens. I'm just
17 saying on the - on the off chance, you need to
18 be prepared - this is - okay. This - this is my
19 turn. You need to be prepared for the world to
20 go upside-down sideways. It already has in your
21 life.

22 INMATE MARROQUIN THROUGH THE INTERPRETER:

23 Correct.

24 PRESIDING COMMISSIONER SHELTON: Se?

25 INMATE MARROQUIN THROUGH THE INTERPRETER:

26 Now I understand you.

27 M. MARROQUIN H-62380 DECISION PAGE 6 6/6/06

1 **PRESIDING COMMISSIONER SHELTON:** Okay.

2 That's all I'm telling you is that we're guiding
3 and directing you because we believe in you, all
4 right? We believe in you, but this is a crazy
5 world, and you need to be prepared for whatever
6 way the ball bounces, okay?

7 **INMATE MARROQUIN THROUGH THE INTERPRETER:**

8 That is correct. Like saying - well, it's like
9 putting into knowledge, or if I may be allowed
10 to ask you, what do you think, analyze or know,
11 what knowledge can you have regarding today?

12 **PRESIDING COMMISSIONER SHELTON:** I
13 understand. Okay.

14 **INMATE MARROQUIN THROUGH THE INTERPRETER:**

15 Regarding (indiscernible).

16 **PRESIDING COMMISSIONER SHELTON:** Se,
17 senor. Yeah. Yeah. Yo say. We were talking
18 about that earlier. Bien. Se bien.

19 **INMATE MARROQUIN THROUGH THE INTERPRETER:**

20 That's fine.

21 **PRESIDING COMMISSIONER SHELTON:** Es bien.

22 Okay. We also want to acknowledge for the
23 record 32 - the 3042 responses from the District
24 Attorney's Office in Los Angeles and the Los
25 Angeles County Sheriff's Department, and again,
26 I want to reiterate the good things that you

1 have done, I want to go through this again, that
2 you have an excellent report from the
3 psychiatrist. You worked hard for a two-year
4 period to receive your diploma as a diesel
5 mechanic, and you received that in August '04.
6 We were particularly impressed that you
7 continued and continued working on that and
8 followed through with the directions of your
9 last Board hearing. Again, you have not
10 received any 115s during the time you were here,
11 you've been in AA and NA since 1995, you have
12 been and continue to participate in Adult Basic
13 Education, you took a Positive Parenting class,
14 you took classes on cause and prevention and
15 treatment of hepatitis, you worked on the Yard
16 Crew. Most impressive was your request to
17 participate in individual counseling with Dr.
18 Reed. What I especially enjoyed talking with
19 you about was the insight and feeling that you
20 developed participating in the Criminon course.
21 You participated in that last year, and for over
22 a year's period of time, and as I mentioned to
23 you during the hearing, I believe when you tell
24 us what you got out of that, because your eyes
25 lit up, you became animated, and it's like you
26 discovered a whole new sense of self and sense
27 M. MARROQUIN H-62380 DECISION PAGE 8 6/6/06

1 of what life means. So this year is a very
2 important year for you, sir, very, very
3 important. You have done a lot of good work, we
4 want you to keep the momentum going, we want you
5 to keep it rolling, because the more you have
6 under your belt, the more you can convince other
7 people like us you have an opportunity for
8 success outside this institution. Commissioner,
9 do you have anything to add?

10 **DEPUTY COMMISSIONER KEENAN:** I would just
11 concur on your comments and note also you've
12 been on the right path, you're doing a lot of
13 good things, and I would say, you know, since
14 you have other people looking at your case in
15 the future, keep it up. More is better. That
16 would be my advice to you. More is better.

17 **PRESIDING COMMISSIONER SHELTON:** And
18 don't -

19 **INMATE MARROQUIN THROUGH THE INTERPRETER:**
20 Thank you.

21 **PRESIDING COMMISSIONER SHELTON:** Don't
22 give it up. Don't give up. Keep on rolling.
23 All right, sir, good luck to you. We're behind
24 you.

25 **INMATE MARROQUIN THROUGH THE INTERPRETER:**
26 Thank you very much.

27 **M. MARROQUIN H-62380 DECISION PAGE 9 6/6/06**

81

1 PRESIDING COMMISSIONER SHELTON: The time
2 is 2:40, and that concludes this hearing.
3 Seriously, good luck.

4 INMATE MARROQUIN THROUGH THE INTERPRETER:
5 Thank you.

6 --oOo--
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21
22

23 PAROLE DENIED ONE YEAR

OCT 04 2006

24 THIS DECISION WILL BE FINAL ON: _____

25 YOU WILL BE PROMPTLY NOTIFIED, IF PRIOR TO THAT
26 DATE, THE DECISION IS MODIFIED.

27 M. MARROQUIN H-62380 DECISION PAGE 10 6/6/06

PROOF OF SERVICE BY MAIL

I, Marco Marroquin, declare that:

I am over 18 years of age and that I am the pro per Petitioner to the within attached cause of action; My complete mailing address is: Marco Marroquir, H-62380, Box 689 G-123L, California State Prison, Soledad, CA 93960-0689; That I served a true and correct copy (original to the court) of:

AMENDED PETITION FOR WRIT OF HABEAS CORPUS WITH RELATED DOCUMENTS ATTACHED THERETO.

addressed to the following parties, with postage fully prepaid and affixed by the prison mail room, to:

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
450 GOLDEN GATE AVE.
SAN FRANCISCO, CA 94102-3483

STEVEN G. WARNER
Deputy Attorney General
455 Golden gate Ave., Suite 11000
San Francisco, CA 94102-5747

DECLARATION

I declare under penalty of perjury that the foregoing is true and correct. Executed this 6 day of June, 2008, at Soledad, California, State Prison, County of Monterey.


Marco Marroquin

